



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

Ohio EPA NOV 2 '17  
Entered Directors Journal

November 2, 2017

Re: **Dovetail Energy, LLC**  
**Director's Authorization**  
**Approval**  
**NPDES**  
**Greene County**  
**11N00305\*AD**

Mr. Taylor Faecher  
Dovetail Energy, LLC  
1146 Herr Road  
Fairborn, OH 45324

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Donna Cassler Date: 11-2-17

**Subject: Class B Biosolids Beneficial Use Site Transfers**

Dear Mr. Faecher:

Ohio EPA received a request from Renergy, Inc. to transfer the following authorized Class B beneficial use sites from the Montgomery County Water Reclamation facilities (WRF) biosolids program to the Dovetail Energy, LLC biosolids program.

<u>Ohio EPA Site #</u>	<u>Field ID</u>	<u>County</u>	<u>Township</u>
29-00192	GRS-14-01	Greene	Miami
29-00193	GRS-14-02	Greene	Bath
29-00194	GRS-14-03	Greene	Bath
29-00195	GRS-14-04	Greene	Bath
29-00199	GRS-14-08	Greene	Miami
29-00200	GRS-14-09	Greene	Miami
29-00201	GRS-14-10	Greene	Miami
29-00202	GRS-14-11	Greene	Miami

**Ohio EPA Site 29-00192 (Field ID GRS-14-01)**

This 16.4-acre beneficial use site, owned and operated by Fulton Brothers, is located east of the intersection of Yellow Springs Fairfield Road and Snypg Road. The beneficial use site's soil units consist of Brookston silty clay loam, Kokomo silty clay loam, and Miamian silt loam. Soil analytical results indicate a pH of 6.1 S.U. and a phosphorus value of 20 parts per million (ppm) Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

**Ohio EPA Site 29-00193 (Field ID GRS-14-02)**

This 45.5-acre beneficial use site, owned and operated by Fulton Brothers, is located southwest of the intersection of Yellow Springs Fairfield Road and Enon Road. The beneficial use site's soil units consist of Algiers silt loam, Miamian-Eldean silt loam, Ockley silt loam, Odell silt loam, and Patton silty clay loam. Soil analytical results indicate a pH of 7.8 S.U. and a phosphorus value of 92 ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1992. This site has been reduced by about 2 acres due to the location of a new home.

**Ohio EPA Site 29-00194 (Field ID GRS-14-03)**

This 28.4-acre beneficial use site, owned and operated by Fulton Brothers, is located southwest of the intersection of Yellow Springs Fairfield Road and Enon Road. The beneficial use site's soil units consist of Miamian silt loam and Miamian-Eldean silt loam. Soil analytical results indicate a pH of 4.5 S.U. and a phosphorus value of 43 parts ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

**Ohio EPA Site 29-00195 (Field ID GRS-14-04)**

This 27.2-acre beneficial use site, owned and operated by Fulton Brothers, is located southwest of the intersection of Yellow Springs Fairfield Road and Enon Road. The beneficial use site's soil units consist of Algiers silt loam, Casco-Rodman loams, Linwood muck, Miamian-Eldean silt loam, Ockley silt loam, and Patton silt loam. Soil analytical results indicate a pH of 7.3 S.U. and a phosphorus value of 29 ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

**Ohio EPA Site 29-00199 (Field ID GRS-14-08)**

This 35.1-acre beneficial use site, owned and operated by Fulton Brothers, is located along Snypp Road. The beneficial use site's soil units consist of Kokomo silty clay loam, Miamian silt loam, and Odell silt loam. Soil analytical results indicate a pH of 5.2 S.U. and a phosphorus value of 27 ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

**Ohio EPA Site 29-00200 (Field ID GRS-14-09)**

This 28.2-acre beneficial use site, owned and operated by Fulton Brothers, is located along Snypp Road. The beneficial use site's soil units consist of Miamian silt loam and Odell silt loam. Soil analytical results indicate a pH of 7.1 S.U. and a phosphorus value of 28 ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

**Ohio EPA Site 29-00201 (Field ID GRS-14-10)**

This 39.1-acre beneficial use site, owned and operated by Fulton Brothers, is located along Snypp Road. The beneficial use site's soil units consist of Miamian silt loam and Odell silt loam. Soil analytical results indicate a pH of 6.0 S.U. and a phosphorus value of 32 ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

**Ohio EPA Site 29-00202 (Field ID GRS-14-11)**

This 32.4-acre beneficial use site, owned and operated by Fulton Brothers, is located along Snypp Road. The beneficial use site's soil units consist of Brookston silty clay loam, Kokomo silt loam, Miamian silt loam, and Odell silt loam. Soil analytical results indicate a pH of 7.6 S.U. and a phosphorus value of 112 ppm Mehlich III extraction. The application indicates that beneficial use last occurred in 1993.

A review of the application and sites was conducted by Ohio EPA. The application indicates that the requisite notifications and consents have been obtained. Consideration was given to soil and landscape characteristics, isolation distances from residences, and the proximity to waterways and wells.

After a review of the application and Ohio Administrative Code (OAC) 3745-40, Ohio EPA hereby authorizes these sites to be transferred to the Dovetail Energy Class B biosolids management program. This authorization is subject to conditions contained in the Dovetail Energy NPDES permit and OAC 3745-40. Highlights of these conditions are outlined below. Conditions contained in the NPDES permit and OAC

3745-40 may differ. In such cases, the more restrictive conditions from either the NPDES permit or OAC 3745-40 shall govern.

**Specific Conditions**

1. All biosolids beneficially used at this site shall be injected beneath the surface of the ground or immediately incorporated into the soil. Biosolids that remain on the surface shall be incorporated within six hours to minimize the potential for runoff and nuisance odors.
2. The soil analytical results indicate high phosphorus values at Ohio EPA Sites 29-00193 and 29-00202. OAC 3745-40-08(A)(2)(b) requires that for soils with phosphorus test results greater than 45 ppm Mehlich III and less than or equal to 115 ppm Mehlich III, the agronomic rate shall be the most limiting factor derived from the nitrogen agronomic rate or the multi-year phosphate agronomic rate.
3. The review indicated the presence of Algiers silt loam at Ohio EPA Sites 29-00193 and 29-00195. This soil type is classified as frequently flooded from December through June. OAC 3745-40-08(D)(3) requires that the beneficial use of biosolids be limited to same day incorporation or injection on areas of beneficial use sites that are frequently flooded during periods when flooding is expected.
4. Ohio EPA Site 29-00195 contains soil types that are described as having slopes greater than 15 percent. OAC 3745-40-08(D)(4) states that biosolids shall not be beneficially used when the ground slope exceeds 15 percent (or 20 percent for pasture land) unless same day incorporation or injection is performed.
5. The soil analytical results indicate pH values less than 5.5 S.U. at Ohio EPA Sites 29-00194 and 29-00199. OAC 3745-40-08(D)(5) requires a minimum pH of 5.5 for the beneficial use of Class B biosolids. The pH of these sites shall be raised to a minimum of 5.5 through the addition of a liming material before or at the time of the beneficial use of biosolids.
6. Biosolids shall not be applied within the isolations distances listed in OAC 3745-40-08(C).
7. Beneficial use records shall be maintained in accordance with OAC 3745-40-09(C).
8. Montgomery County WRFs are no longer authorized to beneficially use biosolids at these sites.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, OH 43215

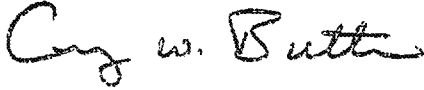
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If you have questions, please refer to Ohio EPA's Sewage Sludge Rules in OAC 3745-40 (<http://www.epa.ohio.gov/dsw/sludge/biosolid.aspx>), or contact Betsy VanWormer at (614) 644-2150 or via email at [betsy.vanwormer@epa.ohio.gov](mailto:betsy.vanwormer@epa.ohio.gov).

Sincerely,

A handwritten signature in black ink that reads "Craig W. Butler". The signature is written in a cursive, flowing style.

Craig W. Butler  
Director

Enclosure

Cc: Greene County Combined Health District  
Greene County Soil and Water Conservation District  
Miami Township Trustees  
Bath Township Trustees  
Fulton Brothers

Ec: Taylor Faecher, Renergy  
Elizabeth Moore, Eastern Regional WRF  
Kevin Krejny, Western Regional WRF  
Betsy VanWormer, Ohio EPA- DSW/CO  
Ned Sarle, Ohio EPA- DSW/SWDO



## Class B Biosolids Site Transfers

Dovetail Energy  
NPDES# 11N00305

Ohio EPA Site	Field ID
29-00192	GRS-14-01
29-00193	GRS-14-02
29-00194	GRS-14-03
29-00195	GRS-14-04
29-00199	GRS-14-08
29-00200	GRS-14-09
29-00201	GRS-14-10
29-00202	GRS-14-11



Division of Surface Water  
50 W Town Street, Suite 700  
Columbus, OH 43216  
(614) 644-2150